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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/993,943	11/06/2001	Thomas Edward Biddix	071963-001	5483
29391	7590	03/22/2004	EXAMINER	
BEUSSE BROWNLEE WOLTER MORA & MAIRE, P. A. 390 NORTH ORANGE AVENUE SUITE 2500 ORLANDO, FL 32801			GRAHAM, GARY K	
			ART UNIT	PAPER NUMBER
			1744	

DATE MAILED: 03/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

### Application No.

09/993,943

### Applicant(s)

BIDDIX ET AL.

### Examiner

Gary K Graham

### Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11062001
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Objections*

Claim 9 is objected to because of the following informalities: In line 2, it appears "crating" should be ---creating---. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3-6 and 8-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Webb et al (U.S. patent 2,313,606).

The patent to Webb discloses a cleaning apparatus as is claimed, including a chamber (10) having an first end with opening (14) and a second end with opening (14) therein. Numerous partitions (12) are provided within the chamber to define various compartments which include a cleansing spray (24) section, rinsing spray (31) section and power driven brushes (27) provided between such spray sections. Said brushes are driven by a motor (35) mounted outside of said chamber.

With respect to claim 1, while the claim sets forth an apparatus "for cleaning medical transport boards", such relates to the intended use of the cleaning apparatus and does not distinguish the apparatus from that which is disclosed by Webb. The apparatus of Webb could be used to clean any components so desired, including medical transport boards. Also, while the cleansing solution disclosed by Webb is considered broadly to be a disinfectant spray, a disinfectant is not specifically claimed in claim 1. Claim 1 only calls for a spray section "for" spraying disinfectant. Clearly the spray heads (24) could spray disinfectant if so desired. Additionally, the brushes (27) are considered to be between the "sections" defined by the spray nozzles (24,31). Brushes do not have to be located between the partitions until claim 7.

With respect to claim 4, Webb sets forth that the cleansing solution may be pumped (page 2, column 1, lines 40-43), thus clearly disclosing a pump.

With respect to claim 8, note supply tank (26).

With respect to claim 9, note that two of the brushes (27) may be selected between sections defined by the sprays (24,31) that are rotating in the same direction. In particular, one from compartment A and one from compartment B.

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 2 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Webb et al (U.S. patent 2,313,606) in view of Wing (U.S. patent 3,504,390).

The patent to Webb discloses all of the above recited subject matter with the exception of a pre-wetting dispensing system in the disinfectant spray section and the brushes being located between the first and second partitions.

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The patent to Wing discloses a cleaning apparatus comprised of a closed chamber (11) having an opening at input end (12) and an opening at output end (13). Wing discloses various sections within the chamber including multiple spray sections (stations one to four), a brushing section (station four) with rotary brushes (109) and a rinse section (station five). Stations one through four include spraying heated detergent containing water while station five includes spraying heated tap water. The heated detergent containing water is considered to be a disinfectant spray. Wing clearly suggested providing multiple spray sections as well as a separate rinse section that does not include brushing.

It would have been obvious to one of skill in the art to provide the apparatus of Webb with additional spray sections leading up to the brush sections, as clearly suggested by Wing, to increase the article cleansing. The additional spray sections could be considered as a pre-wetting system. Note that Wing discloses the use of heated detergent containing water. Such acts as a pre-wetting water dispensing system and as a disinfectant.

With respect to claim 7 and the addition of multiple spray sections prior to the scrub brushing, as suggested by Wing, it appears that additional partitions could also be added. Webb clearly disclose use of partitions between various sections. The addition of such would provide that the brushes (27) of Webb would be between partitions as is claimed.

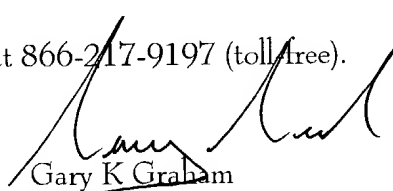
*Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Note that patent to Plante (U.S patent 3,918,117) which discloses use of a disinfectant spray.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary K Graham whose telephone number is 571-272-1274. The examiner can normally be reached on Tuesday to Friday (6:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Warden can be reached on 571-272-1281. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

  
Gary K Graham  
Primary Examiner  
Art Unit 1744

GKG  
15 March 2004